

2-28-6 DRAFT PLAN MEETING:

- (a) The Commission's staff shall determine if the petitioner's submission is complete within five business days of the day after the submission deadline. If it is, written notices shall be sent to the petitioner, the petitioner's representatives, and the checkpoint agencies by the staff scheduling a Draft Plan Meeting to be held on or before the third Wednesday of that month. If the submission is found to be incomplete, the staff shall provide the petitioner, within ten business days after the submission deadline, a written statement detailing its deficiencies regarding items in 2-28-5-b above. The last day of that month will then be the next filing deadline for a complete submission.
- (b) At the Draft Plan Meeting, the staff and checkpoint agency representatives will have an opportunity to require changes and recommend revisions to the Draft Plan submission and discuss them with the petitioner and petitioner's representatives. Checkpoint agencies may provide written comments to the **Executive Director**, or the director's designee, instead of being present. Additional Draft Plan Meetings may be required by the staff and/or checkpoint agencies in order to complete the discussions of the required changes and recommended revisions to the Draft Plan submission.
- (c) Per Section 2-28-5, the processing fee is sufficient for up to two Draft Plan Meetings. In the event that additional Draft Plan Meetings are required by staff and the checkpoint agencies, or by the petitioner pursuant to Section 2-28-7-b, to complete the discussions required Section 2-28-6-b, an additional non-refundable processing fee shall be required which shall be sufficient for up to two additional Draft Plan Meetings.
- (d) Additional Draft Plan Meetings shall be scheduled only after the processing fee has been received by the Commission.
- (e) Upon the conclusion of the discussions required by Section 2-28-6-b and at least twenty-two days before the next available APC public hearing, the following items shall be submitted to complete the filing requirements for a PD rezoning request with the Draft Plan:
 - (1) 2 Notices of Public Hearing, each with a metes and bounds or other proper legal description and the common address or location of the property;
 - (2) 2 release letters authorizing the staff to submit Notices of Public Hearings to the designated newspapers;
 - (3) A completed Notice to Interested Parties form.

2-28-7 PRELIMINARY PLAN APPLICATION REQUIREMENTS:

- (a) Following the Draft Plan Meeting stage, the petitioner shall submit a complete Preliminary Plan no later than the last Wednesday of the month preceding the intended public hearing. A complete Preliminary Plan application shall contain the following:
 - (1) 8 sets of drawings, labeled Preliminary Plan, containing all the elements of the Draft Plan reflecting changes resulting from the Draft Plan Meeting stage, including all changes required and revisions recommended by the staff and checkpoint agencies;
 - (2) if dividing land, 8 copies of the preliminary *plat*, prepared by a Registered Land Surveyor as per Appendix B-1 below, included within the Preliminary Plans;
 - (3) 8 copies of any covenants and horizontal property ownership and owners' association documents (including amendment provisions that conform to 2-28-14-a through 2-28-14-c below). These shall include a table of contents, and be written in plain language easily understood by most readers; and
 - (4) a non-refundable processing fee as set by the Commission.

Upon receipt of the Preliminary Plan, the Commission's staff shall determine whether it is complete, and if the Commission's staff determines that the Preliminary Plan is not complete, the staff shall notify the petitioner within five business days after receipt of the Preliminary Plan that it is not complete. Such notice shall indicate the reasons for the determination that the Preliminary Plan is not complete.

- (b) If the Commission's staff determines that the Preliminary Plan is incomplete because it fails to include all changes required and revisions recommended by the staff and checkpoint agencies in the Draft Plan Meeting stage, the petitioner may appeal this determination to the APC Executive Committee and request a public hearing for a Completeness Determination by the APC Executive Committee relative to the Preliminary Plan. At such public hearing, the petitioner and the Commission's staff, and any checkpoint agencies which desire to participate, shall each present a summary of the discussions outlined in Section 2-28-6-b and be available to answer questions from the APC Executive Committee. The APC Executive Committee shall then determine and render a decision as to whether the changes required and revisions recommended by the staff and checkpoint agencies required by Section 2-28-7-a-1 have been sufficiently included in

the Preliminary Plan application. If the APC Executive Committee finds the Preliminary Plan Application to be complete, the application shall proceed to a full APC public hearing in accordance with Section 2-28-8. If the APC Executive Committee finds the Preliminary Plan Application to be incomplete the petitioner may request additional Draft Plan Meetings in accordance with Section 2-28-6-c or withdraw the application. To initiate an appeal and request a Completeness Determination public hearing before the APC Executive Committee the petitioner shall:

- (1) Request in writing, on forms provided by the Commission, a Completeness Determination Public Hearing.
 - (2) Submit, with the completed form, a non-refundable processing fee as set by the Commission.
- (c) If the petitioner fails to submit a complete Preliminary Plan application requirement within 6 months after the date of the last Draft Plan Meeting, the rezoning petition shall be void. If the petitioner wishes to continue with the project, a new pre-submission meeting, as per 2-28-4 above, must be scheduled.